Agent's Docket No: LEL-007

### In the United States Patent and Trademark Office

Application No.:

10/212,931

Filed:

August 5, 2002

Title:

LASER HAVING<100>ORIENTED CRYSTAL GAIN MEDIUM

Applicant(s):

JAMES J. MOREHEAD et al

Examiner:

not yet assigned

Art Unit:

not yet assigned

Express Mail Label # <u>Eu491719617u5</u>

Mailed <u>9/12/2003</u>

Fremont, CA

## Information Disclosure Statement

Commissioner of Patents and Trademarks Washington, District of Columbia 20231

Dear Sir or Madam:

Attached is a completed Form PTO-1449 and copies of the pertinent parts of the references cited thereon.

It is requested that the document(s) on the enclosed form be made of record. As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

## Part I (Authority)

This statement is filed pursuant to:

#### 37 C.F.R. § 1.97(b). (X)

This information disclosure statement is filed either (1) within three months of the filing date of the national applications; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; (3) before the mailing date of a first office action on the merits; or (4) before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification

### 37 C.F.R. § 1.97(c). ( )

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113 or (2) a notice of allowance under 37 C.F.R. § 1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) (\$180), or a certification according to 37 C.F.R. § 1.97(e).

#### () 37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(c). Accordingly, this information disclosure statement requires the petition fee specified in 37 C.F.R. § 1.17(p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) (\$180) and a certification according to 37 C.F.R. § 1.97(e).

## **Conditional Petition**

It is respectfully requested that this information disclosure statement be considered, good cause being presented in Part III herein (certification). Please treat this paper as the required petition.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record.

To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

# Part II (Payment)

A check is enclosed as indicated:

- (X) No fee is due.
- ( ) The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) is enclosed (\$240).
- ( ) The petition fee specified in 37 C.F.R. § 1.17(i)(1) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) is enclosed (\$130).

### Part III (Certification)

Pursuant to 37 C.F.R. § 1.97(e), I certify:

- (X) No certification is necessary.
- () (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.
  - () The "communication from a foreign patent office" referred to in the certification is an International Search Report, possibly issued by the U.S. Patent and Trademark Office in its capacity as an International Search Authority or International Preliminary Examining Authority.
  - () The "counterpart foreign application" referred to in the certification corresponds to an ancestor or descendent application of the application for which this information disclosure statement is filed.
- () (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

# Part IV (Additional Statement)

An additional statement regarding these items of information () is, (X) is not, enclosed.

Copies of the cited art (X) are enclosed, () are of record in parent application Serial No. \_\_\_\_\_\_ and will be provided if the Examiner deems it convenient.

References E and F are in the French language. Reference F is a PCT application claiming priority to reference E. These references are believed to be cumulative and therefore only a single English translation of reference C is provided.

Dated: 9/12/2003

Respectfully submitted.

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Fremont, CA 94539 tel: (510) 896-8328

fax: (510) 360-8328

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				FILING DATE			GROUP				
			U.S.	PATENT DO	CUMENTS						
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME		CLASS	SUBO	CLASS	FILING DATE IF APPROPRIATE		
	A	US 6,023,479	2/8/2000	Thony et	al	372	11		1/6/1998 6/30/1994		
	В	US 5,774,488	6/30/1998	Kmetec		372	69				
	C	US 5,867,324	2/2/1999	Kmetec e	t al.	359	625		1/28/1997		
	D	US 5,850,407	12/15/1998	Grossmar	Grossman et al. 37		22	22 1		11/25/1997	
			FOREIG	SN PATENT	DOCUME	NTS					
		DOCUMENT NUMBER	DATE	COUNTRY		CLA	SS SU	SUBCLASS TRANSL N YES		N	ATIO NO
	E	EP 1042847	9/26/2001	Europe		7H0	1S 3/6				X
	F	WO 9934486	7/8/1999		WIPO	H015		3/06			X
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	<u> </u>	Ichiro.Shoji and	r. Taira, in Laser F	Research Cer	enter, Institute for Molecular Science.						
	H "Birefringence of YAG: Nd Laser Rods as a Fuction of Growth Direction" by W. Koechner and I Journal of the Optical Society of America June 1971, Volume 61, Number 6 pg 758.										
	I	"Effect of Birefringence on the Performance of Linearly Polarized YAG:Nd Lasers," by Walter Koechner and Dennis K. Rice, in IEEE Journal of Quantum Electronics, September 1970, pg 557, (1970).									
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